

107TH CONGRESS  
2D SESSION

# S. 2383

To amend chapter 71 of title 5, United States Code, to establish certain limitations relating to the use of official time by Federal employees, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 29, 2002

Mr. THURMOND introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To amend chapter 71 of title 5, United States Code, to establish certain limitations relating to the use of official time by Federal employees, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Workplace Integrity  
5       Act of 2002”.

6       **SEC. 2. LIMITATIONS RELATING TO THE USE OF OFFICIAL**  
7       **TIME BY FEDERAL EMPLOYEES.**

8       Section 7131 of title 5, United States Code, is  
9       amended to read as follows:

1 **“§ 7131. Official time**

2 “(a) Official time may only be granted to an employee  
3 representing an exclusive representative to allow such em-  
4 ployee to—

5 “(1) present or process a grievance on behalf of  
6 another employee in a unit represented by the exclu-  
7 sive representative;

8 “(2) be present during a grievance proceeding  
9 involving an employee in a unit represented by the  
10 exclusive representative;

11 “(3) negotiate a collective bargaining agreement  
12 under this chapter; or

13 “(4) take part in any proceedings approved by  
14 the agency.

15 “(b) Official time may only be granted to an employee  
16 represented by an exclusive representative (in a cir-  
17 cumstance not covered by subsection (a)) to allow such  
18 employee to—

19 “(1) present a grievance on the employee’s own  
20 behalf under a negotiated grievance procedure; or

21 “(2) take part in any proceedings approved by  
22 the agency.

23 “(c) Notwithstanding subsections (a) and (b), official  
24 time may not be granted to any employee for activities  
25 relating to the internal business of a labor organization

1 (including the solicitation of membership, elections of  
2 labor organization officials, or collection of dues).

3 “(d) Official time under subsections (a) and (b) may  
4 be granted in any amount that the agency and the exclu-  
5 sive representative involved agree to be reasonable, nec-  
6 essary, and in the public interest, but only to the extent  
7 that, with respect to any employee, the total amount of  
8 official time granted to such employee for use during the  
9 calendar year does not exceed 25 percent of the total  
10 amount of time the employee would otherwise be in duty  
11 status during the same period.

12 “(e)(1) Not later than April 1 of each year, the Office  
13 of Personnel Management shall submit to the President  
14 and each House of Congress a report on the use of official  
15 time under this section. The report shall apply with re-  
16 spect to the calendar year preceding the submission date.

17 “(2) Each report under this subsection shall include,  
18 in the aggregate and by each agency—

19 “(A) the total number of employees to whom of-  
20 ficial time was granted under this section;

21 “(B) the total number of employee-hours of of-  
22 ficial time granted under this section;

23 “(C) the total costs attributable to official time  
24 granted under this section; and

1           “(D) the total number of each activity (as cat-  
2           egorized by the Office) for which official time was  
3           granted under this section.

4           “(3) Agencies shall submit to the Office such data  
5           as the Office may by regulation require in connection with  
6           any report under this subsection.”.

7   **SEC. 3. EFFECTIVE DATE.**

8           The amendment made by this Act shall take effect  
9           on the date of enactment of this Act, except that the first  
10          report under section 7131(e) of title 5, United States Code  
11          (as added by this Act) shall be submitted on the first April  
12          1, following the date occurring 6 months after the date  
13          of enactment of this Act.

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